

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John G. Babish et al.
Appl. No. : 09/919,349
Filed : July 31, 2001
For : COMBINATIONS OF
SESQUITERPENE LACTONES
AND DITERPENE TRIPOXIDE
LACTONES FOR SYNERGISTIC
INHIBITION OF
CYCLOOXYGENASE-2

Examiner : Michelle C. Flood
Group Art Unit : 1654

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 2, 2003
~~August 29, 2003~~ UT

(Date)

Connie C. Tong
Connie C. Tong, Reg. No. 52,292

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee, MetaProteomics, Inc., San Clemente, CA (U.S.) (hereinafter "Assignee").

In accordance with 37 C.F.R. § 3.73 (b), Assignee represents that it is the owner by assignment of 100% of the above referenced application. The Assignment from the inventors to a previous assignee of the present application is recorded at Reel (012429), Frame (0073) and the assignment from the previous assignee to Assignee at Reel (013453), Frame (0204). These Assignments represent the entire chain of title from the inventors to the Assignee.

Assignee hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any patent granted on U.S. Patent Application No. 09/919,506, pursuant to 37 C.F.R. § 1.321 (b), and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application No. 09/919,506. This agreement extends to any patent granted on the above-identified application and shall be binding on its successors or assigns.

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Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Application No. 09/919,506 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321 (a), has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with 37 C.F.R. § 3.73 (b), any evidentiary documents which accompany this disclaimer have been reviewed, and to the best of Assignee's knowledge and belief, title is in Assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

METAPROTEOMICS, INC.

Dated: 8-29-03

By: Susan Y. Campbell
Susan Y. Campbell
General Counsel
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